AO 440 (Rev. 03/08) Civil Summons

UNITED STATES DISTRICT COURT
for the District of Delaware

PHL VARIABLE INSURANCE COMPANY,	)	
Plaintiff,	)	
v.	)	
	)	
WERTHER FAMILY INSURANCE TRUST 2006,	)	Civil Action No. 08-485
and its trustee, NATCITY TRUST COMPANY OF	)	
DELAWARE,	)	
Defendants.	)	

ALIAS **Summons in a Civil Action**

To: *(Defendant's name and address)*

Werther Family Insurance Trust 2006
c/o NatCity Trust Company of Delaware
300 Bellevue Parkway, Suite 160
Wilmington, DE 19899

A lawsuit has been filed against you.

Within __20__ days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

Richard D. Heins
ASHBY & GEDDES
500 Delaware Avenue, 8th Floor
P.O. Box 1150
Wilmington, DE 19899

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

PETER T. DALLEO
<div align="right">Name of clerk of court</div>

Date: ____8/6/08____

<div align="right">Deputy clerk's signature</div>

(Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States allowed 60 days by Rule 12(a)(3).)

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Proof of Service

I declare under penalty of perjury that I served the summons and complaint in this case on 8/6/08 at 11:47AM, by:

    (1) personally delivering a copy of each to the individual at this place, _____

_____ ; or

    (2) leaving a copy of each at the individual's dwelling or usual place of abode with _____
        who resides there and is of suitable age and discretion; or

    (3) delivering a copy of each to an agent authorized by appointment or by law to receive it whose name is
        MONIFA WILLIAMS, of NatCity Trust Company of DE ; or

    (4) returning the summons unexecuted to the court clerk on _____ .

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00 .

Date: August 6, 2008

_____
Server's signature

Matthew Gordon, Process Server
Printed name and title

230 N Market St Wilmington DE 19801
Server's address